

RECEIVED

DEC 22 2011

TONY R. MOORE, CLERK
B7

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

IAN J. JACKSON, ET AL.

* CIVIL ACTION NO. 11-0524

VERSUS

* JUDGE DONALD E. WALTER

LOUISIANA TECH UNIVERSITY, ET AL.

* MAG. JUDGE KAREN L. HAYES

J U D G M E N T

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED, ADJUDGED, and DECREED that the motion to dismiss for failure to state a claim upon which relief can be granted [doc. # 6], filed by defendants, Ruston City Prosecutor W. Kyle Green and the City of Ruston is **GRANTED**, and that judgment is hereby entered in favor of said defendants, **DISMISSING, with prejudice**, plaintiff's claims arising under the laws and Constitution of the United States. Fed.R.Civ.P. 12(b)(6).

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the motion to dismiss for lack of subject matter jurisdiction and/or for failure to state a claim upon which relief can be granted [doc. # 7], filed by defendant, Danny W. Tatum, Ruston City Court Judge, is **GRANTED IN PART**, and that judgment is hereby entered in favor of said defendant, **DISMISSING, with prejudice**, plaintiff's claims arising under the laws and Constitution of the United States. Fed.R.Civ.P. 12(b)(6).

IT IS FURTHER ORDERED that the motion to dismiss for lack of subject matter

jurisdiction [doc. # 7] otherwise is **DENIED**, as moot.

IT IS FURTHER ORDERED that the motion to dismiss for failure to state a claim upon which relief can be granted [doc. # 8], filed by defendant, Judge Danny W. Tatum, on behalf of defendant, the Ruston City Court is **GRANTED**, and that defendant, the Ruston City Court, is **DISMISSED** from the case.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the motion to dismiss for lack of subject matter jurisdiction and/or for failure to state a claim upon which relief can be granted [doc. # 9], filed by defendants, Wanda Neeles, Brenda Gafton, and Linda Hanes, is **GRANTED IN PART**, and that judgment is hereby entered in favor of said defendants, **DISMISSING, with prejudice**, plaintiff's claims arising under the laws and Constitution of the United States. Fed.R.Civ.P. 12(b)(6).

IT IS FURTHER ORDERED that the motion to dismiss for lack of subject matter jurisdiction [doc. # 9] otherwise is **DENIED**, as moot.

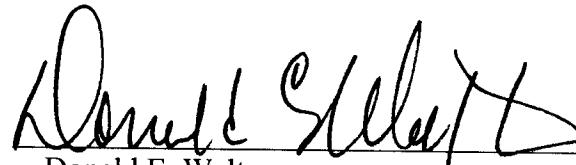
IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the motion to dismiss for lack of subject matter jurisdiction and/or for failure to state a claim upon which relief can be granted, [doc. # 29], is **GRANTED**, and that judgment is hereby entered in favor of defendants: 1) Louisiana Tech University, Louisiana Tech University Police Department, **DISMISSING, without prejudice**, plaintiff's claims against them for lack of subject matter jurisdiction, Fed.R.Civ.P. 12(b)(1); and 2) Louisiana Tech Chief of Police Randal Hermes, Louisiana Tech Assistant Chief of Police Bill Davis, and Louisiana Tech Police Officers Randy Gay and Tim Holstead, **DISMISSING, with prejudice**, plaintiff's claims arising under the laws and Constitution of the United States. Fed.R.Civ.P. 12(b)(6).

IT IS FURTHER ORDERED that any remaining claims arising under the laws and Constitution of the State of Louisiana are hereby **DISMISSED, without prejudice**.

The case is closed.

THUS DONE AND SIGNED in chambers, Shreveport, Louisiana, this 21 day of

Dec 2011.



Donald E. Walter

United States District Judge